IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.448 OF 2005

Shri A.B. Sonawalkar ...Applicant
Vs.
The Inspector of Police, CBI, Mumbai ...Respondent

Shri I.A. Bagaria and U.I. Bagaria for the Applicant.
Mrs G.P. Mulekar, A.P.P. for the Respondent.

CORAM : R.S.MOHITE, J.

DATE : JANUARY 16, 2006.

P.C.:

1. By this Revision Application the Applicant has impugned an order passed by the Special Judge, Greater Mumbai on 01.12.2005 directing that CBI Special Case No.111 of 2004 and 112 of 2004 be clubbed and tried together as prayed. This order has been passed on an Application being M.A. No.603 of 2005 preferred by the CBI. It is seen that as far as two cases are concerned, nine of the accused are common. One accused being the original Investigating Officer is different in each case.

2. On perusal of the reasons given, it is clear that the order has been passed because in respect of the conspirators who have allegedly committed main offence regarding stamps, the witnesses are common. The grievance made in this case is that the Applicant

will be affected because wrongly a charge has been framed involving the present Applicants who are Police Officers as being conspirators in respect of aiding and abetting the main offence. In my view, the framing of a wrong charge is not the subject matter of this Application. If any wrong charge is framed then there is different remedy in that respect. The impugned order would cause no prejudice whatsoever to the Applicant and I find no legal infirmity in the said order. In view of the said order, Revision Application is dismissed.

JUDGE